IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7252 OF 2006

M/S. LUBRIZOL INDIA LTD. & ORS. ..PETITIONERS

V/S

MRS. J.G. RODRIGUES & ORS. ..RESPONDENTS

P.C. PAWASKAR FOR PETITIONERS.

RAVI MOHAN NAIR FOR RESPONDENTS.

CORAM : A.P. DESHPANDE, J.

DATE : 9TH JANUARY, 2007.

P.C.

1. The Labour Court has considered the preliminary issue as to whether the enquiry conducted by the petitioner - employer is fair and proper and answered the issue in the negative. Aggrieved thereby a Revision was carried before the Industrial Court and the Industrial Court has rejected the same. However the petitioner has been permitted to lead evidence and establish misconduct before the Labour Court. It is this order passed by the Industrial Court which is assailed in the present petition. The complaint is pending for almost 13 years. As the petitioner has been permitted to substantiate the charges of misconduct by leading evidence before the Labour Court, the petitioner is not prejudiced by the impugned order. At this stage the order passed by the Labour Court

dated 20th December 2005 do not call for any interference. The ends of justice can be met by expeditious disposal of the complaint on merits. It is made clear that if the complaint is allowed and the petitioner is required to file a Revision it shall be open for the petitioner to assail the order dated 20th December, 2005 by raising proper grounds before the Industrial Court. All the questions raised in the petition are kept open. As far as possible the Labour Court shall decide the complaint within a period of 6 months from today.

. Perused the order. No interference is called for. The writ petition is summarily dismissed.

(A.P. DESHPANDE, J.)